UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/48/389
7 October 1993

ORIGINAL: ENGLISH

Forty-eighth session
Agenda item 75

CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS

Report of the Secretary-General

1. By resolution 47/56 of 9 December 1992, the General Assembly, having recalled with satisfaction the adoption, on 10 October 1980, of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 1/ together with the Protocol on Non-Detectable Fragments (Protocol I), 1/ the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) 1/ and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III); 1/ having reaffirmed its conviction that general agreement on the prohibition or restriction of use of specific conventional weapons would significantly reduce the suffering of civilian populations and of combatants, and having taken note with satisfaction of the report of the Secretary-General submitted to the General Assembly at its forty-fourth session (A/44/569); noted with satisfaction that, consequent upon the fulfilment of the conditions set out in article 5 of the Convention, the Convention and the three Protocols annexed thereto entered into force on 2 December 1983; urged all States that had not yet done so to exert their best endeavours to become parties to the Convention and the Protocols annexed thereto as early as possible, so as ultimately to obtain universality of adherence; noted that, under article 8 of the Convention, conferences may be convened to consider amendments to the Convention or any of the annexed Protocols; and requested the Secretary-General as depositary of the Convention and its three annexed Protocols to inform the General Assembly from time to time of the state of adherence to the Convention and its Protocols.

2. Pursuant to the request of the General Assembly, the actions with respect to the Convention and the three Protocols for the period under review, that is, from 1 September 1989 to 31 August 1993, are indicated in the annex to the present report.

3. The Convention was signed by 53 countries and, as of 31 August 1993, 27 countries had ratified it, 2 had accepted it, 6 had acceded to it, and 2 had succeeded to it. Instruments for those actions were accompanied by acceptances of the Protocols annexed to the Convention.

4. In a letter, dated 9 February 1993, addressed to the Secretary-General of the United Nations, depositary of the Convention, the Government of France, considering "of the utmost importance that Protocol II to the Convention, be substantially amended so as to lay down provisions on the verification of facts that may be alleged and that would constitute violations of the undertakings entered into, as well as on the penalties to be stipulated in the event of such violations", and pursuant to article 8, paragraph 3 (a), of the Convention, which provides that "if, after a period of 10 years following the entry into force of this Convention, no conference has been convened ... any High Contracting Parties shall be invited to review the scope and operation of this Convention and the Protocols annexed thereto and to consider any proposal for amendments of this Convention or of the existing Protocols", requested the Secretary-General to convene the High Contracting Parties of the Convention, as soon as possible after 2 December 1993, the date on which the 10-year period will have expired.

5. The Office for Disarmament Affairs, on behalf of the Secretary-General, Depositary of the Convention, has informally transmitted the text of the communication received from the Government of France to the High Contracting Parties to the Convention.

6. Following past practice, however, a decision concerning the convening of a review conference and its preparation would be taken by the General Assembly under agenda item 75, entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".

Notes

1/ A/CONF.95/15 and Corr.2, annex I. For the printed text of the Convention and its Protocols, see The United Nations Disarmament Yearbook, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

ANNEX

Actions in respect of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and its three Protocols during the period from 1 September 1989 to 31 August 1993

State	Ratification, acceptance (A) approval (AA) or accession (a) succession (d)	Acceptance pursuant to article 4 paragraphs 3 and 4 Protocols		
		I	II	III
Germany	25 November 1992	x	x	x
Greece	28 January 1992	x	x	x
Niger	10 November 1992 (a)	x	x	x
Slovenia	25 June 1992 (d) a/	x	x	x
Czech Republic	22 February 1993 (d) b/	x	x	x
Latvia	4 January 1993 (a)	x	x	x
Slovak Republic	28 May 1993 (d) b/	x	x	x

a/ Slovenia succeeded to this Convention which had been ratified by Yugoslavia on 24 May 1983, with effect from 25 June 1992, the date on which Slovenia assumed responsibility for its international relations.

b/ The Czech and Slovak Republic succeeded to this Convention, which had been ratified by Czechoslovakia on 31 August 1982, with effect from 1 January 1993, the date on which the Czech Republic and Slovak Republic assumed responsibility for their international relations.